

**FILED**

**United States Court of Appeals  
Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**FOR THE TENTH CIRCUIT**

**January 5, 2015**

**Elisabeth A. Shumaker  
Clerk of Court**

BILLY JONES,

Plaintiff - Appellee,

v.

No. 14-2224

DANNY PACHECO, a City of Espanola  
Police Officer, et al.,

Defendants - Appellants,

and

CITY OF ESPANOLA, a municipality,

Defendant.

**ORDER**

This matter is before the court following review of the appellants' docketing statement. We have identified a possible jurisdictional defect. As a result, we are considering this appeal for summary disposition. 10th Cir. R. 27.2(B).

On or before January 20, 2015, the appellants shall file a memorandum brief addressing the following question: whether this court has jurisdiction to consider the district court's order being appealed? *See Estate of Booker v. Gomez*, 745 F.3d 405, 409 (10th Cir. 2014) (stating that not every order denying qualified immunity is immediately appealable and noting "[t]he denial of qualified immunity to a public official [] is immediately appealable under the collateral order doctrine to the extent it involves

abstract issues of law” (quotation omitted)); *Pahls v. Thomas*, 718 F.3d 1210, 1228 (10th Cir. 2013) (explaining that when qualified immunity is denied at the summary judgment stage, “we generally are not at liberty to review a district court’s factual conclusions, such as the existence of a genuine issue of material fact for a jury to decide, or that a plaintiff’s evidence is sufficient to support a particular factual inference” (quotation omitted)).

Briefing on the merits is suspended pending further order of this court. 10th Cir. R. 27.2(C).

Entered for the Court  
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in cursive script, appearing to read "Lara Smith".

by: Lara Smith  
Counsel to the Clerk